

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:12-CV-00052-RLV-DSC**

**SUZANNE WICK AND LISA
MANGIARDI,**

Plaintiffs,

v.

PHILLIP H. REDMOND, et al.,

Defendants.

MEMORANDUM AND ORDER

THIS MATTER is before the Court on the “Plaintiffs’ Motion to Compel Discovery,” Doc. 16, filed January 30, 2013, and the parties’ associated briefs and exhibits. See Doc. 17 and 18.

This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1), and is now ripe for the Court’s consideration.

Plaintiff asks that the Court compel Defendants to respond to Plaintiffs’ Interrogatory Nos. 3, 4, 6, and 7 and Document Request No. 13. Plaintiffs further request that Defendant Redmond produce electronically stored information (“ESI”) in accordance with their discovery requests. In response, Defendants credibly argue that they have complied with discovery in good faith and have produced documentation in their possession, including ESI, related to Plaintiffs’ requests.



The Court has carefully examined the record, the parties’ arguments, and the applicable authorities. For the reasons cited in Defendants’ brief, Plaintiffs’ Motion is denied.

NOW THEREFORE, IT IS ORDERED:

1. "Plaintiffs' Motion to Compel Discovery," Doc. 16, is **DENIED**.¹
2. "Plaintiffs' Motion for Leave to File Surreply in Support of Their Motion to Compel Discovery," Doc. 20, is **DENIED AS MOOT**.
3. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Richard L. Voorhees.

SO ORDERED.

Signed: April 5, 2013


David S. Cayer
United States Magistrate Judge 

¹ This Order was originally entered on March 5, 2013 at 4:52 p.m. However, due to technical problems arising with the electronic processing of this Order through the Clerk's Office, it was not transmitted for docketing and the parties were not notified of the Court's ruling. This error was brought to the Court's attention today when Plaintiffs' filed their Motion for Leave to File a Surreply.